

## **Minutes of Special and Regular Meeting of March 25, 2014**

One Twin Pines Lane

### **SPECIAL MEETING, One Twin Pines, Suite 360**

**CALL TO ORDER 6:00 P.M.**

COUNCILMEMBERS PRESENT: Reed, Braunstein, Stone, Lieberman

STAFF PRESENT: City Treasurer Violet, City Clerk Cook

### **Interview Candidate for City Council Vacant Position**

City Council interviewed candidate Cathy Wright.

**ADJOURN** at this time, being 7:10 p.m., to Saturday, March 29, 2014, at 10:30 a.m. for continuation of interviews.

### **REGULAR MEETING, City Council Chambers**

**CALL TO ORDER 7:30 P.M.**

### **ROLL CALL**

COUNCILMEMBERS PRESENT: Reed, Braunstein, Stone, Lieberman

STAFF PRESENT: City Manager Scoles, City Attorney Rennie, Finance Director Fil, Community Development Director de Melo, Parks and Recreation Director Gervais, Public Works Director Oskoui, Human Resources Director Dino, Police Chief DeSmidt, Deputy Fire Chief Gaffney, Deputy Finance Director Lazzari, City Treasurer Violet, City Clerk Cook

### **PLEDGE OF ALLEGIANCE**

Led by Jolie Escamilla, Fox School Student

### **SPECIAL PRESENTATIONS**

#### **Proclamation in Appreciation for Public Service by Outgoing Planning Commissioner Kenn Parsons**

Mayor Lieberman noted that outgoing Planning Commissioner Kenn Parsons was unable to attend the meeting, and he acknowledged Mr. Parsons' 19 years of service on the Planning Commission.

#### **Report on Status of Carlmont High School by Principal Lisa Gleaton**

**Principal Lisa Gleaton** noted that she began her career at Carlmont High School in 1994, and returned this year to serve as Principal. She pointed out that Carlmont is one of the best high schools in nation according to a number of publications, and ranks high state-wide. She noted that the school is implementing common core standards. She spoke regarding the challenges from the population growth.

### **Presentation from Sequoia Union High School Boardmember Alan Sarver Regarding Upcoming High School Bond Election**

**Alan Sarver**, Sequoia Union High School Board, spoke regarding the large population growth of the high school district, especially in the Belmont-Redwood Shores area. He presented nine-year demographic data and its impact on schools. All current bond funds will soon be exhausted, and all campuses have been improved. He stated that the Sequoia Union High School District needs an additional \$265 million in funding for further improvements and to provide for growth. He explained that Measure A has qualified for the June ballot, and he asked for the City Council's endorsement of the bond measure.

### **PUBLIC COMMENTS AND ANNOUNCEMENTS**

**Denny Lawhern**, Belmont Historian, stated that due to the efforts of volunteer Judy King, items of Belmont's history have been moved into one of the front rooms of the Manor Building. He is providing weekly history input for the Parks and Recreation webpage, and he described efforts regarding historic information on the City's new website.

**Cynthia McCarthy**, Belmont resident, introduced the new Belmont history book that she has written, and announced an upcoming book signing event on April 12<sup>th</sup> at the Manor Building.

**Paula Edwards**, **Linda Allen**, **Harry Helgoth**, and **Dixine Davis**, Belmont residents spoke regarding rent raises at their properties on Old County Road and requested consideration of a rent control ordinance. They also requested that the City Council meet with the rental property owners regarding this matter.

### **COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS**

Councilmember Stone announced that he served as Principal for a Day at Cipriani School.

Mayor Lieberman commented regarding the interview schedule for the vacant City Council position. He also described Notre Dame de Namur students' involvement in a recent Call to Action Day.

Police Chief DeSmidt described the recent Operation Sunny Day event wherein 16 indictments were initiated for many crimes committed by gangs. He pointed out that investigators from the Belmont Department were involved, and that this was the biggest criminal investigation in San Mateo County's history.

### **COMMENTS ON CONSENT CALENDAR**

**Perry Kennan**, Belmont resident, spoke regarding the Consent Calendar item related to the 2014 Slurry Seal project. He pointed out that the amount allocated only covers 5.4 percent of roads in Belmont. Not enough money. He requested additional information and pointed out that the City should be spending \$1.5 million per year just to maintain the roads.

Councilmember Reed stated that he would abstain from approval of the February 18 minutes.

### **ITEMS APPROVED ON CONSENT CALENDAR**

**Approval of** Minutes of Special City Council Meeting of February 18, 2014 (Commission Interviews), Special and Regular City Council Meeting of February 25, 2014, and Regular Belmont Fire Protection District Meeting of February 25, 2014

**Motion to Receive Monthly Financial Reports**

**Resolution 2014-045** of the City Council Approving a Permanent Encroachment Agreement to Allow Privately Maintained Retaining Walls, and Guardrails within the Public Right-of-Way at 2609 Monte Cresta Drive (APN 043-313-220)

**Resolution 2014-046** of the City Council Approving a Permanent Encroachment Agreement to Allow Privately Maintained Retaining Walls, Driveway Bridge, and Guardrails within the Public Right-of-Way at 2611 Monte Cresta Drive (APN 043-313-090)

**Resolution 2014-047** of the City Council Approving the Rule 20A Electrical Panel Service Conversion Agreement with Pacific Gas & Electric (PG&E) for the Old County Road Utility Undergrounding Project

**Resolution 2014-048** of the City Council Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Authorizing the City Manager to Execute a Contract with the Lowest Responsible Bidder for an Amount not to Exceed \$361,000, and Approving a Ten Percent Construction Contingency for the 2014 Annual Street Maintenance Slurry Seal Project, City Contract Number 2014-524

**Resolution 2014-049** of the City Council Authorizing Rates for Service Agreements with Burke, Williams & Sorensen LLP for Civil Litigation and Other Municipal Law Legal Services

**Resolution 2014-050** of the City Council Authorizing Continued Annual Renewal of the Services Contract for Support with Sun Ridge Systems for the Police Department Computer Aided Dispatch, Records Management and Mobile Data System as well as Payment of the 2014-2015 Annual Support Charge to Sun Ridge Systems in an Amount not to exceed \$28,323.00

**ACTION:** On a motion by Councilmember Reed, seconded by Councilmember Stone, the Consent Agenda was unanimously approved. Councilmember Reed abstained from voting on the Minutes of February 18, 2014.

### **OTHER BUSINESS**

**Resolution Authorizing the City Manager to execute a Memorandum of Agreement (MOA) with the County of San Mateo to Share Construction Cost Sharing For A New Animal Care Shelter Through a 30-year Interest-Free Lease**

City Manager Scoles stated that the County of San Mateo has contracted with the Peninsula Humane Society to provide animal control services for 50 years. He explained that the facility, which is on County-owned property, needs significant repairs. He noted that the County is willing to manage construction for new facility, and each city needs to share in costs. He explained that if Belmont does not participate, it may be precluded from participating in the operational agreement for animal

control services. He pointed out that the cost to Belmont for this Agreement would be \$16,000 to \$22,000 over current annual costs. He noted that there are no viable alternatives for animal control services.

Councilmember Braunstein stated that this issue was discussed at the December Council of Cities meeting, and that many cities were not aware of the need for the new facility. He requested clarification regarding how often this matter has been brought to various city councils, and if there had been any discussion regarding the participation of elected officials on the board.

**Pam Machado**, County of San Mateo, stated that elected officials' participation on the board through the formation of a Joint Powers Authority has been discussed but not pursued. She clarified that the need for a new facility has been brought up with city managers throughout the county. She stated that if Belmont approves this Agreement, it would be the 12<sup>th</sup> city to do so.

Councilmember Reed pointed out that if Belmont does not sign the agreement, it would need to provide its own services or look for alternative vendor. He noted that the proposed agreement is likely the most cost-effective solution.

**ACTION:** On a motion by Councilmember Reed, seconded by Councilmember Stone Resolution 2014-051 Authorizing the City Manager to execute a Memorandum of Agreement (MOA) with the County of San Mateo to Share Construction Cost Sharing for a New Animal Care Shelter Through a 30-year Interest-Free Lease was unanimously approved.

**Update on the Progress of the Water Dog Lake Loop Trail Realignment Project and Resolution of the City Council Authorizing the City Manager to Execute a Contract for the Trail Bridge Project in the Water Dog Lake Open Space Area for an Amount Not to Exceed \$30,000**

Parks and Recreation Director Gervais and Volunteer Coordinator Kevin Sullivan provided a history of volunteer efforts on trail work at Waterdog Lake. Director Gervais noted that the installation of the footbridge over the spillway is one of the final components of the trail improvements. He stated that a member of the public installed a chain pull, which was removed as it was deemed to be dangerous.

Discussion ensued regarding types of trails in Waterdog Lake area, as well as the ownership and maintenance agreement between Notre Dame de Namur University and the City of Belmont.

**Karen Moody**, Belmont resident, stated that Waterdog Lake is the reason moved to Belmont. She expressed support for the bridge.

**Perry Kennan**, Belmont resident, stated that 117 people signed a petition that he circulated, indicating that the bridge was not needed. He pointed out that chain pulls are used in other parks.

Councilmember Stone stated he has used the trails for many years. He stated he recognizes the issue with steep slope in question. He expressed support for the bridge as there are no viable alternatives. He does not support the use of a chain.

Councilmember Braunstein commented regarding the steep slope. He supports the project.

Councilmember Reed also commented regarding the steep slope and pointed out that the trail is meant for all users. He stated that stairs are not good option for strollers or those with mobility issues, and the bridge is the best solution. There is a need to provide access to all in Waterdog Lake area. He pointed out that this is a safety enhancement.

Mayor Lieberman stated that the cost of bridge is small when considered with the entire project. He noted that the bridge should not be considered development in the open space, and it makes it more accessible to more people.

**ACTION:** On a motion by Councilmember Braunstein, seconded by Councilmember Stone, Resolution 2014-052 Authorizing the City Manager to Execute a Contract for the Trail Bridge Project in the Water Dog Lake Open Space Area for an Amount Not to Exceed \$30,000

**Discussion and Direction Regarding Donation of Three Lots to the City of Belmont - Assessor's Parcel Numbers 043-041-090 and 100 (Bartlett Way) and 043-242-090 (Alhambra Drive)**

Community Development Director de Melo stated that the City has acquired other parcels of property in the San Juan area, including the recent Bishop Road acquisition. He described the lots being proposed for donation, and noted that the owner would not be providing an appraisal. He outlined costs for title reports and closing costs. He suggested that the City undertake more detailed geologic study before acquisition, although it is not likely in hazard area. He pointed out that if acquired, the City would assume liability as well as storm and sewer fees for the property. He clarified there would be a small loss in property tax, and acquisition would provide the opportunity for trail connection.

Discussion ensued regarding fiscal impact and liability if lots are accepted by City. City Attorney Rennie described options, including a conservation or open space easement, leaving the property in private ownership. He pointed out that this would alleviate any liability by the City for the property.

**Michael Schmitz**, San Mateo resident, expressed support for the donation. He clarified that he could support a conservation easement as long as property is protected as open space.

**Carol Rossi**, Belmont resident, expressed support for donation. She would like to expand open space.

Councilmember Reed expressed support for removing these properties from potential development. He pointed out that the owner is not likely to maintain liability for a small tax break. He would support either option as long the property remains open space. He noted that it is likely more reasonable for the City to own the land. He pointed out that acquiring open space in San Juan comes at an expense to everyone. He suggested that the City develop a plan for future property acquisition and a mechanism to recoup the associated costs.

Councilmember Stone expressed his desire to leave all alternatives on table. He would like to explore the conservation easement option. He expressed concerns regarding potential drainage issues. He would like to protect the property as open space. He pointed out that this is an issue of how many more parcels might be proposed for donation, and that the City has a shortage of funds for infrastructure needs.

Community Development Director de Melo clarified that the San Juan Plan includes a policy to preserve open space and to discourage acquisition of property that leads to liability, especially drainage.

Mayor Lieberman noted that the City Council is interested in preserving open space and wants to do so in a financially prudent manner. There is a need for a long-term policy discussion.

Council concurred to have staff provide options to secure open space.

## **COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS**

### **Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments**

Councilmembers Braunstein and Stone report on the 2+2+2 subcommittee with the Belmont-Redwood Shores School District and the City of Redwood City. They outlined the topics discussed.

Councilmember Reed reported on the Ad Hoc Infrastructure Committee. He noted that the firm of Godbe was selected as the polling firm. He advised that the final questions to be used in the poll would not be shared with the members of the Ad Hoc Infrastructure Committee, but just with the assigned councilmembers so as to protect the validity of the poll.

Councilmember Braunstein outlined topics that were addressed at the recent C/CAG meeting. He also noted that the National Night Out committee has begun to meet to plan for this year's event.

Mayor Lieberman described his recent State of the City address, and he reported on a recent Silicon Valley Clean Water (SVCW) meeting.

**MEETING EXTENSION:** At this time, being 10:30 p.m., on a motion by Councilmember Braunstein, seconded by Councilmember Stone, the meeting was unanimously extended for 30 minutes.

**Verbal Report from City Manager**

City Manager Scoles announced the City Council workshop on March 28 to discuss priorities. He noted that sales tax revenues have been increasing. He announced that the Cities of Foster City and San Mateo have both approved the shared services agreement for fire management.

**ADJOURNMENT** at this time, being 10:35 p.m.

**Terri Cook  
City Clerk**

Meeting audio-recorded and videotaped